



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: May 27, 2009
AGENDA DATE: June 3, 2009
PROJECT ADDRESS: 1402 Grand Avenue & 860 Jimeno Road (MST2008-00402)

TO: Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
Danny Kato, Senior Planner
Suzanne Johnston, Assistant Planner

A handwritten signature, likely of Suzanne Johnston, is written in ink next to her name.

I. PROJECT DESCRIPTION

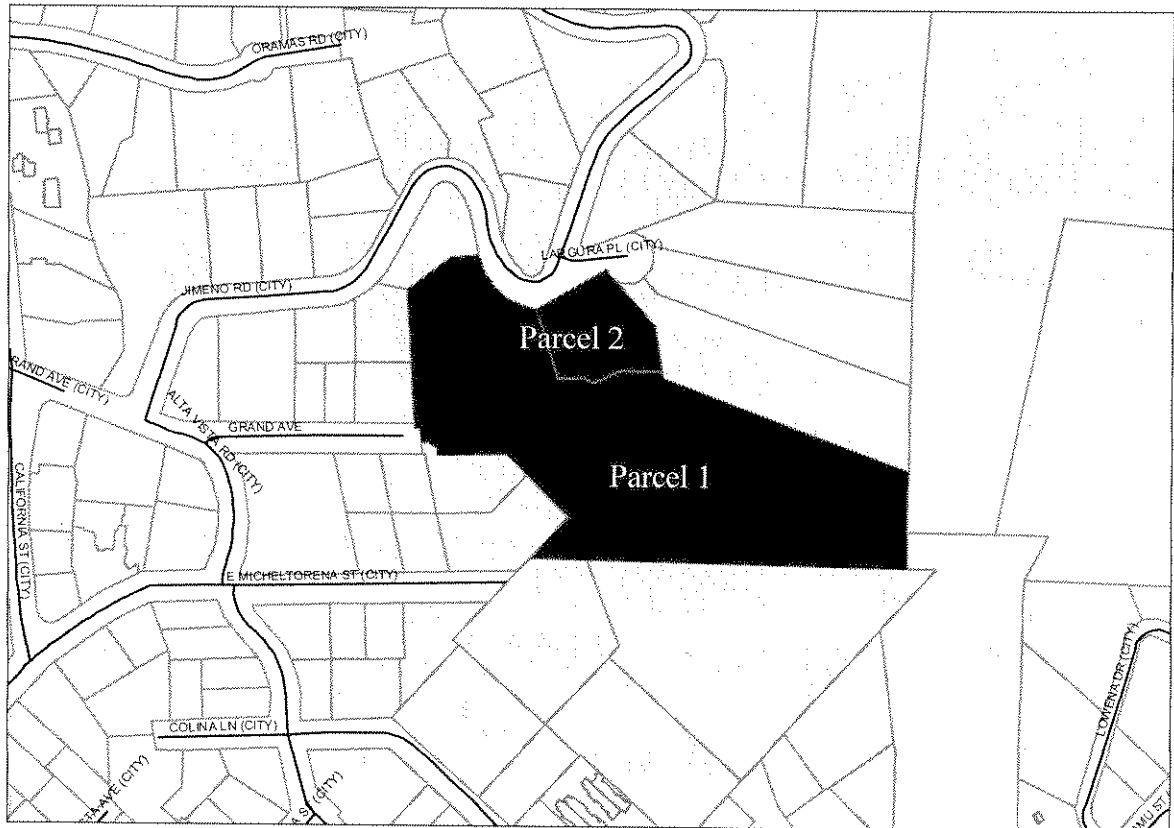
The proposed project consists of a Lot Line Adjustment between the properties located at 1402 Grand Avenue (Parcel 1) and 860 Jimeno Road (Parcel 2). The lot line adjustment will result in a transfer of 3,140 sq. ft. of lot area from Parcel 2 to Parcel 1. The proposal includes the installation of automatic gates at the driveway entry for 1402 Grand Avenue, the landscaping screening of as-built Alan block walls south of the driveway, landscaping of an as-built turnaround area to limit its usage to a turnaround and prevent parking within the setback, and alterations to the house at 860 Jimeno Road including window and door changes.

II. REQUIRED APPLICATIONS

The discretionary application required for this project is a Lot Line Adjustment (LLA) to change the property line between Parcel 1, 1402 Grand Avenue (APN 029-110-036) and Parcel 2, 860 Jimeno Road (APN 029-110-037) (SBMC §27.40 & Gov. Code §66412(d)).

III. RECOMMENDATION

The proposed project conforms to the City's Zoning and Building Ordinances and policies of the General Plan. Therefore, Staff recommends that the Staff Hearing Officer approve the project, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.



APPLICATION DEEMED COMPLETE: April 20, 2009
DATE ACTION REQUIRED PER MAP ACT: June 9, 2009

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

	1402 Grand Avenue	860 Jimeno Road
Property Owner:	Midwest Institution, a LLC	Jospeh A. Yob
Parcel Number:	029-110-036	029-110-037
General Plan:	Residential, 3 units per acre	Residential, 3 units per acre
Zoning:	A-1/E-1	E-1
Existing Use:	Residential	Residential
Adjacent Land Uses:		
	North – Residential	East – Residential
	South – Residential	West – Residential

B. PROJECT STATISTICS

	1402 Grand Avenue Parcel 1	860 Jimeno Road Parcel 2
Zone	A-1/E-1	E-1
Lot Area Required	A-1 Zone: 43,560 ft ² + slope density <ul style="list-style-type: none"> • 65,340 ft² (1.5 acres) net for parcel w/ avg. slope of 10-20% • 87,120 ft² (2 acres) net for parcel w/avg. slope of 20-30% • 130,680 ft² (3 acres) net for parcel w/avg. Slope of 30% or more. 	E-1 Zone: 15,000 ft ² + slope density <ul style="list-style-type: none"> • 22,500 ft² net for parcel w/ avg. slope of 10-20% • 30,000 ft² net for parcel w/avg. slope of 20-30%; • 45,000 ft² net for parcel w/avg. Slope of 30% or more.
Existing Slope and Lot Area	43% 223,833 ft ² (5.14 acres)	19% 25,738 ft ² (0.59 acres)
Proposed Slope and Lot Area	43% Slope 226,973 ft ² (5.21 acres)	18.2% 22,598 ft ² (0.52 acres)
Slope of Development Area	18.7 %	18.2%

C. FLOOR AREA RATIO STATISTICS

	Lot Area	Maximum FAR (ft2) Guideline	Existing (Net Ft2)
1402 Grand Avenue	226,973 ft ² net	49.6%	2798 sq. ft. building 865 sq. ft. decks
860 Jimeno Road	22,598 ft ² net	76.6%	3,574 sq.ft. building

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	1402 Grand Avenue Proposed	Requirement/ Allowance	860 Jimeno Road Proposed
Setbacks				
-Front	35'	>35'	30'	>30'
-Interior	15'	>15'	10'	>10'
-Rear	5'	>15'	10'	>10'
Building Height	30'	No Change	30'	No Change
Parking (see Section VI.B. below)	1 Uncovered 1 Covered	1 Uncovered 1 Covered	1 Uncovered 1 Covered	2 covered
Open Yard	1,250 sq. ft.	>1,250 sq. ft.	1,250 sq. ft.	> 1,250 sq. ft.

The proposed project is consistent with the regulations of the A-1/E-1 and E-1, single-family residence zone related to density, building height, setbacks, solar access, open yard requirements and parking. The density is further discussed in section VI.B below as it relates to the Lot Line Adjustment.

VI. ISSUES

A. COMPLIANCE WITH THE GENERAL PLAN

Before a Lot Line Adjustment can be approved, it must be found consistent with the City's General Plan. Based on staff's analysis, the proposed subdivision is consistent with all plans and policies of the City of Santa Barbara, including the General Plan.

Land Use Element: the project site is located in an area recognized by the Land Use Element of the General Plan as the Lower Riviera neighborhood of the City. The Lower Riviera neighborhood is bordered on the north by Alameda Padre Serra; on the west by the Old Mission, Laguna Street and Olive Streets; and on the east by Canon Perdido Street. The major portion of the Lower Riviera neighborhood is primarily residential uses. Single-family residential uses predominate the neighborhood with significant pockets of more intensive development. The General Plan calls for three (3) dwelling units to the acre, in this portion of the neighborhood, and the A-1 and E-1 zoning coincides with this as the majority of lots in the area are the minimum size required in both zones. More intensive development is allowed to the south and west. The Land Use Element specifically cites that, in general, the lot sizes are small considering the steep topography of the neighborhood. The subject parcels meet the minimum lot size and slope density requirements required by the zoning ordinance and are developed consistent with the General Plan.

B. PARKING

The existing parking for the property at 1402 Grand Avenue is legally non-conforming with one uncovered parking space. The applicant proposes to legalize the parking by adding a second covered parking space and meet the parking requirements as identified in SBMC§28.90.100(G)(1). In general, the City's parking ordinance requires two covered parking spaces for single family residences. However, the ordinance provides an exception to allow one covered and one uncovered parking space for lots that do not exceed 85 % of the maximum FAR (floor area ratio) as calculated by §28.15.083 and where the parking meets other location requirements. It furthermore states that exception will apply whether the 85% FAR is a standard or a guideline. The applicant is to provide a carport over the northernmost parking space, along the fence line shown as a concrete parking area on the site plan. With the addition of the carport, the parking of 1402 Grand Avenue will comply with the City's zoning ordinance. The approval of the Lot Line Adjustment would be subject to conditions of approval, Condition A.8 and B.1, and the design would be subject to review and approval of the Single Family Design Board.

C. LOT LINE ADJUSTMENT

Government Code Section 66412 (d), a portion of the State Subdivision Map Act, requires that the proposed lot line adjustment be consistent with the City's zoning and building codes. The plans for the proposed construction and existing structures on both properties have been reviewed by the Building and Safety Division and are in compliance with local building codes. The lot line adjustment would increase the lot area 1402 Grand Avenue (Parcel 1) by 3,140 square feet and decrease the lot area of 860 Jimeno Road (Parcel 2) by 3,140 square feet. The minimum lot size for A-1 and E-1 lots are 43,560 square feet and 15,000 square feet respectively, for lots that have an average slope of less than ten percent. The Zoning Ordinance requires greater lot area for lots with slopes greater than 10%. The minimum lot area is increase to 1.5 times the minimum lot area for lots with an average slope between 10% and 20%; 2.0 times the minimum lot area for lots with an average slope between 20% and 30%; and 3.0 times the minimum lot area for lots with an average slope of 30% or more.

Parcel 1 will have an average slope of 43%, and therefore requires three (3) times the minimum lot area. The lot is split zoned with 97,124 sq.ft. in the A-1 zone and with 129,849 sq.ft. in the E-1; therefore the minimum lot area required for E-1 portion of this lot is 45,000 sq. ft. and the A-1 portion 130,680 sq. ft. The new lot size of 226,973 square feet and is more than three (3) times the minimum lot area required. Parcel 2 is zoned E-1, and will have an average slope of 18.2%. Therefore, Parcel 2 requires 1.5 times the minimum lot area, or 22,500 square feet. The new lot size of 22,598 square feet meets the minimum lot size requirements. The proposed project is consistent with the requirements of the A-1/E-1, Single-Family Residence Zones.

Any future development on either parcel would be subject to the provision of the E-1 or E-1/A-1 Single-Family Residential Zones and review by the Single Family Design Board. The intent of the lot line adjustment is to provide a turnaround area adjacent to the existing legal non-conforming parking space to allow the residence of 1402 Grand Avenue to turnaround on their property and exits the lengthy steep driveway without backing down the driveway.

D. ENVIRONMENTAL REVIEW

The project is a minor land transfer between two lots currently developed with single family residences. CEQA provides an exemption for projects involving minor lot line adjustments where no new building sites have an average slope of greater than 20% and the potential for development would not increase. The City policies allow for Minor Alterations in Land Use Limitations where the slope of the development area including driveways does not exceed 20%. There are two existing building sites, each developed with a single family residence. Because there is no increase in the potential for development and no new building sites, the Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality guidelines Section §15301 (Alterations to Small Structures) and §15305 (Minor Alteration in Land Use Limitations).

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VII. FINDINGS

The Staff Hearing Officer finds the following:

A. LOT LINE ADJUSTMENT (GOV. CODE §66412 AND SBMC §27.04.030)

The proposed lot line adjustment is appropriate for the area and is consistent with the City's General Plan and Building and Zoning Ordinances, as shown in section VI.A -C. above. The lot line adjustment would create two legal lots that conform to the zoning requirements in the A-1 and E-1 zones as described in Sections V. and VI.C. above.

Exhibits:

- A. Conditions of Approval 1402 Grand Avenue
- B. Conditions of Approval 860 Jimeno Road
- C. Site Plan
- D. Applicant's letter, dated March 18, 2009
- E. SFDB Minutes

STAFF HEARING OFFICER CONDITIONS OF APPROVAL

NO MAP
1402 GRAND AVENUE
LOT LINE ADJUSTMENT
JUNE 3, 2009

- I. In consideration of the project approval granted by the (Planning Commission)(Staff Hearing Officer) and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:
- A. **Design Review.** The project is subject to the review and approval of the Single Family Design Board (SFDB). SFDB shall not grant preliminary approval of the project until the following Staff Hearing Officer land use conditions have been satisfied for the property located at 1402 Grande Avenue:
1. A one-car carport shall be constructed to provide one covered parking space in the location identified as the concrete parking area. The northern most parking space is the preferred location along the existing fence.
 2. The proposed driveway turnaround shall be a hammerhead not to exceed a maximum of 14 foot width.
 3. Large boulders shall be placed along the turnaround edge to prevent parking in areas not designated as the approved turnaround and within the required setback.
 4. The decomposed granite shall be removed from under the Oak tree on the 1402 Grand Avenue property by hand and replaced with bark.
 5. A small tree shall be planted in the small triangular planter.
 6. Irrigation shall be shown on the plans for the Rosemary shrubs.
 7. The exterior lighting for the health room shall be placed on a motion detector.
 8. The driveway entry gate shall be setback a minimum distance of 20 feet from the front property line or shall be reduced to a maximum height of 3.5 feet
 9. **Tree Protection Measures.** The landscape plan shall include the following tree protection measures, intended to minimize impacts on trees:
 - a. **Landscaping Under Trees.** Landscaping under the tree(s) shall be compatible with the preservation of the tree(s).
 - b. **Arborist's Report.** Include a note on the plans that recommendations/conditions contained in the arborist's report prepared by Duke McPherson, dated , shall be implemented.
 10. **Appropriate Plants on Steep Slope.** Special attention shall be paid to the appropriateness of the existing and proposed plant material on the steep slope and sloped areas. All existing succulent plants that add weight to the steep slope and/or contribute to erosion shall be removed in a manner that does not disturb the root

system and replaced with appropriate plant material in a manner that does not increase the rate of erosion.

11. **Irrigation System.** The irrigation system shall be designed and maintained with the most current technology to prevent a system failure, and watering of vegetation on the steep slope shall be kept to the minimum necessary for plant survival. The drip system along the bluff edge shall be removed after one full season of plant growth.
 12. **Permeable Paving.** The turnaround area shall remain a permeable paving system that will allow a portion of the paved area runoff to percolate into the ground.
- B. **Recorded Conditions Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute *a written instrument prepared by Community Development staff*, which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:
1. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on _____ is limited to a Lot Line Adjustment, construction of a one-car carport, and improvements shown on the plans signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.
 2. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
 3. **Recreational Vehicle Storage Limitation.** No recreational vehicles, boats, or trailers shall be stored on the Real Property unless enclosed or concealed from view as approved by the Single Family Design Board (SFDB).
 4. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB). Such plan shall not be modified unless prior written approval is obtained from the SFDB. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the SFDB, the owner is responsible for its immediate replacement. The following tree protection shall be incorporated:
 - a. **(Oak) Tree Protection.** The existing tree(s) shown on the Landscape Plan approved by the SFDB shall be preserved, protected, and maintained (in accordance with the recommendations contained in the arborist's report prepared by Duke McPherson, dated _____. A copy of this report shall be attached to the recorded conditions as an exhibit.) The following provisions shall apply to any oak trees to remain on the property:
 - (1) No irrigation systems shall be installed within three feet of the drip line of any oak tree.

- (2) The use of herbicides or fertilizer shall be prohibited within the drip line of any oak tree.

5. **Geotechnical Liability Limitation.** The Owner understands and is advised that the site may be subject to extraordinary hazards from landslides, erosion, retreat, settlement, or subsidence and assumes liability for such hazards. The Owner unconditionally waives any present, future, and unforeseen claims of liability on the part of the City arising from the aforementioned or other natural hazards and relating to this permit approval, as a condition of this approval. Further, the Owner agrees to indemnify and hold harmless the City and its employees for any alleged or proven acts or omissions and related cost of defense, related to the City's approval of this permit and arising from the aforementioned or other natural hazards whether such claims should be stated by the Owner's successor-in-interest or third parties.

C. **Community Development Requirements with Building or Public Works Permit Application.** The following shall be submitted with the application for any Building or Public Works permit and finalized prior to Building or Public Works Permit issuance:

1. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an Agreement Assigning Water Extraction Rights. Engineering Division Staff will prepare said agreement for the Owner's signature.
2. **Lot Line Adjustment Required.** The Owner shall submit an executed *Agreement Related to the Lot Line Adjustment, Quitclaim Deed and Acceptance Thereof or Declaration of Lot Line Adjustment* to the Public Works Department, including the legal description of the subject properties prior to, and following the lot line adjustment. A licensed surveyor shall prepare the legal description and said Agreement/Declaration shall be recorded in the Office of the County Recorder.
3. **Contractor and Subcontractor Notification.** The Owner shall notify in writing all contractors and subcontractors of the site rules, restrictions, and Conditions of Approval. Submit a copy of the notice to the Planning Division.

D. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.

1. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the Single Family Design Board, outlined in Section A above.
2. **Grading Plan Requirement for Archaeological Resources.** The following information shall be printed on the grading plans:

If archaeological resources are encountered or suspected, work shall be halted or redirected immediately and the Planning Division shall be notified. The archaeologist shall assess the nature, extent, and significance of any discoveries and

develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

3. **Emergency Evacuation Plan.** Provide an emergency evacuation plan subject to approval by the Fire Department.
4. **Conditions on Plans/Signatures.** The final Staff Hearing Officer Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Archaeologist contract submitted to Community Development Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner		Date
Contractor	Date	License No.
Architect	Date	License No.
Engineer	Date	License No.

- E. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction.

1. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the applicant shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

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- F. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the

City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

NOTICE OF APPROVAL TIME LIMITS:

The Staff Hearing Officer's action approving the Lot Line Adjustment shall terminate two (2) years from the date of the approval, per Santa Barbara Municipal Code §27.40.100. The applicant may apply for an extension of this approval as provided in Section 27.40.100.B.

STAFF HEARING OFFICER CONDITIONS OF APPROVAL

NO MAP
860 JIMENO ROAD
LOT LINE ADJUSTMENT
JUNE 3, 2009

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3. **Contractor and Subcontractor Notification.** The Owner shall notify in writing all contractors and subcontractors of the site rules, restrictions, and Conditions of Approval. Submit a copy of the notice to the Planning Division.
- D. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.
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If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

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any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

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- F. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors (“City’s Agents”) from any third party legal challenge to the City Council’s denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively “Claims”). Applicant/Owner further agrees to indemnify and hold harmless the City and the City’s Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City’s sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City’s Agents from independently defending any Claim. If the City or the City’s Agents decide to independently defend a Claim, the City and the City’s Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

NOTICE OF APPROVAL TIME LIMITS:

The Staff Hearing Officer’s action approving the Lot Line Adjustment shall terminate two (2) years from the date of the approval, per Santa Barbara Municipal Code §27.40.100. The applicant may apply for an extension of this approval as provided in Section 27.40.100.B.

RICHELE DESIGN

ARCHITECTURE • INTERIORS • CAD • INDUSTRIAL ENGINEERING

RECEIVED
MAR 19 2009

March 18, 2009

CITY OF SANTA BARBARA
PLANNING DIVISION

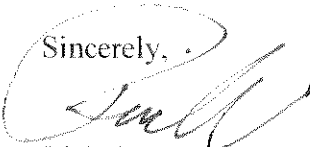
I am seeking a Lot Line Adjustment between two parcels, 860 Jimeno Rd. and 1402 Grand Ave. in Santa Barbara, California.

We are requesting a Lot Line Adjustment for the following reason: The Grand Ave parcel has a 689' long driveway along a steep and treacherous slope that currently requires a driver to reverse out in order to exit the property. The goal is to take an area that is legally part of the Jimeno Rd parcel and attach it to the Grand Ave. parcel in order to create a safe turn around area. In recent history, a serious injury occurred to the property owner while trying to assist a vehicle in backing down this driveway. It resulted in ending his medical career and is an ongoing hazard to anyone visiting the property.

There are landscaping and topographical elements that logically lend this area to be part of the Grand Ave. parcel and this lot line adjustment will address this. The two parcels were once a single parcel which was split in 1960. The odd shaped driveway and access road allowed accessibility to both residences from the end of Grand Ave. Later when roads in the Riviera area were expanded a cultisac named Lagura Place was created. This cultisac allowed direct access from Jimeno road to the 860 Jimeno residence. The use of the long driveway off Grand Ave became obsolete to the 860 Jimeno Rd residence. As a result the any area used for maneuvering and turning around was no longer accessible, leaving the Grand Ave parcel "stranded" with the inability to turn a vehicle around.

A Lot Line adjustment will correct a dangerous condition on the Grand Ave parcel, created by the original lot split. No grading or alterations are required to the site for this lot line adjustment to be done and the zoning for both parcels remain the same.

Sincerely, .



Richele Mailand
Agent



SINGLE FAMILY DESIGN BOARD
CASE SUMMARY

860 JIMENO RD

MST2008-00402

R-LLA

Page: 1

Project Description:

Proposal for a lot line adjustment to decrease 860 Jimeno Road and increase 1402 Grand Avenue by 3,140 square feet. Resulting lot sizes would be 22,598 and 226,973 square feet (5.2 acres) respectively. The lots are located in the Hillside Design District. The project includes a new entry gate and as-built changes to the stone walls along the driveway at 1402 Grand Avenue. The project also includes alterations to the residence at 860 Jimeno Road consisting of replacement of an existing window with new French door, adding a new window, and converting the existing permitted understory to habitable space. Staff Hearing Officer approval is requested for the lot line adjustment.

Activities:

3/16/2009

SFDB-Concept Review (Cont.)

(Third Concept Review. Comments only; project requires environmental review and Staff Hearing Officer approval of a lot line adjustment.)

Actual time: 3:51

Present: Richele Mailand, Agent; Todd Drevo, Owner; and Suzanne Johnston, Associate Planner.

Public comment opened at 3:58 p.m.

Tony Fischer, Attorney for Mike and Linda Cahill, opposed: lot line adjustment gives area from the small lot to the large lot; the proposed turnaround area at 17 feet is wide enough to park two cars; concerned that the Board does not have construction drawings for the Allan Block wall.

A letter in opposition from Paula Westbury was acknowledged.

Public comment closed at 4:03 p.m.

Suzanne Johnston, Assistant Planner, clarified that originally a permit was needed; however, upon conducting a site investigation, Jim Buster, former ?? determined that if one course of Allan block was removed the building permit would no longer be required.

Motion: Continued to the Staff Hearing Officer and continued indefinitely to Full Board with the following comments:

- 1) The lot line adjustment is supportable as presented.*
- 2) The hammerhead driveway turnaround is approved as noted on plans to be no wider than 14 feet.*
- 3) Remove the decomposed granite under the Oak tree by hand and replace with bark and several large*

Activities:

boulders. An arborist is to approve the bark and boulder proposal.

4) Plant a small tree in the small triangular planter.

5) The Allan block wall is acceptable as noted on the plans; it is understood that the wall will be reviewed by the Building and Safety Division.

6) Windows are approved as noted on the plans.

7) Show irrigation to the Rosemary shrubs.

8) Indicate that the health room exterior lighting uses a motion detector.

9) Comments 4 and 8 were carried forward from the minutes of March 2, 2009: 4. Staff to verify the appropriate setback for the gate. 8. Study the light fixtures at the gate.

Action: Carroll/Woolery, 7/0/0. Motion carried.

3/12/2009**SFDB-Resubmittal Received**

Three sets of plans addressing SFDB comments.

3/12/2009**SFDB-Correspondence/Contact**

Mr. Tony Fisher reviewed the SFDB file and states that the following are missing from the file:

1. Plans from the SFDB meeting of 03-02-2009.

2. Plans marked up by Transportation Staff for parking purposes.

3. Photos presented by Mr. Fisher and the applicant at the 03-02-2009 SFDB meeting, and also photos from the prior meeting are missing.

3/2/2009**SFDB-Concept Review (Cont.)**

(Comments only; project requires environmental review and Staff Hearing Officer approval of a lot line adjustment.)

Actual time: 4:11

Present: Richele Mailand, Agent; Todd Drevo, Owner.

Public comment opened at 4:22 p.m.

1. Tony Fischer, Attorney for Mike and Linda Cahill, opposed: drawings were not available to the public last week; as-built grading should be reviewed by Staff and the Board; in 2007 the old stone wall and vegetation were removed resulting in an enforcement case, a large parking lot now exists; as-built grading would not have been approved if proposed prior to completion; the Allan block wall was not engineered and the permit expired; comments on lot line adjustment should look at project as blank slate

2. N. Lichtenstein, opposed: concerned about the possibility of cars idling at the driveway gate.

Public comment closed at 4:32 p.m.

Motion: Continued indefinitely to Full Board with the following comments:

1) Show an accurate tree drip line

2) Show irrigation for the Rosemary shrubs.

3) Submit a design to Transportation Planning that provides a hammer head turnaround minimizing

Activities:

impact to the tree drip line and provide landscaping in the area not required for the turn around.

4) Study the light fixtures at the gate.

5) Obtain comments from Transportation Planning for the gate location.

6) Provide additional wrought iron railing details.

7) Provide window details for 860 Jimeno.

8) Staff to verify the appropriate setback for the gate.

Action: Woolery/Carroll, 7/0/0. Motion carried.

3/2/2009***SFDB-Mailed Notice Prepared*****2/17/2009*****SFDB-Concept Review (New) - PH***

(Comments only; project requires environmental review and Staff Hearing Officer approval of a lot line adjustment.)

Actual time: 4:25

Present: Richele Mailand, Agent.

Public comment opened at 4:47 p.m.

1. Tony Fischer, Attorney for Mike and Linda Cahill: requested renotification due to errors; concerned that the lot line adjustment will provide increased parking, and that the ABR's comments for verification of proper engineering and construction of Allan Block walls were not adhered. Mr. Fischer inquired whether the Board had received his comment letter submitted via e-mail.

2. Jill Kent, neighbor: concerned about glare from entry gate lights.

Public comment closed at 4:57 p.m.

Mr. Limon explained that during construction it was determined that the walls had been shortened by removing several stone courses, and no calculations were required because of the reduction. The ABR had expected the project to return for a final review; therefore, the item is referred to the SFDB for review. Initially the improvements were felt to be minor in nature and the project was scheduled for review on Consent Calendar, however due to as-built violations the application was withdrawn. Staff has not concluded support of the lot line adjustment.

Motion: Continued indefinitely to the Full Board with the following comments:

1) Project will be renoticed for the next meeting. Applicant to review notice for description accuracy.

2) Add substantial landscaping to screen the Allan block wall. The Board did not comment on the durability or safety of the existing wall.

3) Provide additional drawings of the understory at 860 Jimeno Road, show the patio door in relation to the exterior grade.

4) The proposed window at lower level of 860 Jimeno Road is to match the house.

5) Applicant to study adding a landscape island to the turnaround to prevent parking of additional vehicles. Graded area will only be utilized for maneuvering of vehicles.

Activities:

- 6) Provide additional information of material for turn around area and drainage information due to grading on property.
 - 7) All as-built and proposed lighting shall be down cast to prevent night glare to neighbors. Provide cut sheets for all proposed lighting.
 - 8) Existing driveway wall to have a 42 inch guardrail in keeping with the historic nature of stone walls, wrought iron is suggested.
- Action: Carroll/Bernstein, 6/0/0. Motion carried. (Mahan absent.)

2/17/2009 **SFDB-Mailed Notice Prepared**

2/9/2009 **SFDB-Resubmittal Received**

Added fees to TM for the mailing notice and received two sets of plans for Full Board.

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Activities:

- 7) Show irrigation to the Rosemary shrubs.
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Activities:

- 8) Staff to verify the appropriate setback for the gate.
Action: Woolery/Carroll, 7/0/0. Motion carried.

3/2/2009

SFDB-Mailed Notice Prepared

2/17/2009

SFDB-Concept Review (New) - PH

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